

Advance Questions for Ms. Jo-Ellen Darcy
Nominee for the Position of Assistant Secretary of the Army for Civil Works

Duties

What is your understanding of the duties and functions of the Assistant Secretary of the Army for Civil Works?

Answer:

The duties and functions of the Assistant Secretary of the Army for Civil Works are specified in Section 3016 of Title 10 of the United States Code and Department of the Army General Orders No. 3, dated July 9, 2002 and General Orders No. 13, dated October 29, 2004. Section 3016 of Title 10 states that the Assistant Secretary of the Army (Civil Works) "shall have as his principal duty the overall supervision of the functions of the Department of the Army relating to programs for conservation and development of the national water resources, including flood damage reduction, river and harbor navigation, environmental restoration and protection, water supply, shore protection, hydroelectric power, recreation, and related purposes."

What background and experience do you possess that you believe qualifies you to perform these duties?

Answer:

I have served in a variety of governmental and legislative senior positions responsible for formulating and implementing energy, environmental and conservation laws and policies. I currently serve as the Senior Environmental Advisor to the U.S. Senate Committee on Finance, working to develop energy, environmental and conservation initiatives through the tax code. Previously, I served as the Senior Policy Advisor, Deputy Staff Director and Professional Staff on the U.S. Senate Committee on Environment and Public Works. Both of these positions have afforded me the opportunity to work closely with the U.S. Army Corps of Engineers and Office of the Assistant Secretary of the Army (Civil Works) officials and to develop a keen appreciation for the scope, complexity and challenges facing them today.

I have served in a number of other Governmental positions that provided me with leadership and management skills necessary to be effective in this important position. These include serving as the Executive Director at the Great Lakes and Water Resources Planning Commission in Michigan, as the Assistant to the Director of Personnel for Gubernatorial Appointments for the

Governor of Michigan and as a Legislative and Policy Analyst in the U.S. House of Representatives Banking Subcommittee on Economic Stabilization.

I have come to understand how large organizations function, to work within the parameters of plans, programs and budgets, and to face and overcome challenges. I have had the privilege of building strong, effective relationships with Senators, Congressional staff, key officials within the Executive Department, including the Department of Defense, the Army Corps of Engineers, and civil works stakeholders.

I hold a Master of Science degree in Resource Development from Michigan State University and a Bachelor of Science degree from Boston College. My education and experiences have given me a broad base of knowledge to lead in the development of sound processes, practices, and policies to execute the critical mission of Army civil works.

Do you believe that there are actions you need to take to enhance your ability to perform the duties of the Assistant Secretary of the Army for Civil Works?

Answer:

If confirmed, I would take several actions to enhance my expertise as Assistant Secretary of the Army (Civil Works). My goal would be to travel to each Corps of Engineers division to see first-hand the infrastructure development and environmental restoration projects to fully understand the planning, design, construction, operation and maintenance of these projects. I also intend to reach out to Members of Congress, other Federal agencies, state and local interests, study and project sponsors, and other stakeholders to understand their perspectives in areas of mutual concern. I would also work to develop a close relationship with other offices within the Department of the Army and the Department of Defense to make better use of resources and advance the interests of the Civil Works program.

I also will work closely with the Chief of Engineers and the Deputy Commanding General for Civil and Emergency Operations to ensure that I am fully informed and prepared to address the important issues I would oversee as Assistant Secretary of the Army (Civil Works).

Assuming you are confirmed, what duties and functions do you expect that the Secretary of the Army would prescribe for you?

Answer:

If I am confirmed, I expect to carry out the duties and functions of the Assistant Secretary of the Army (Civil Works) as articulated in General Orders No. 3, dated July 9, 2002 and General Orders No. 13, dated October 29, 2004. In addition, I expect to support and assist the Secretary

of the Army in carrying out critical Departmental responsibilities, including Continuity of Operations.

Relationships

Please describe how you envision your working relationship, if confirmed, with the following:

The Secretary of the Army

Answer:

If confirmed, I expect the Secretary of the Army will discuss the roles and responsibilities he wishes me to assume in furthering the goals and priorities of the Secretary of Defense and the President. Consistent with the statutory responsibilities of the Assistant Secretary of the Army for Civil Works and the responsibilities and authorities assigned under the General Orders of the Army, I expect the Secretary will rely on me to oversee the Civil Works program of the Army Corps of Engineers, the programs of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery.

Under Secretary of Defense for Logistics and Materiel Readiness

Answer:

If confirmed, I will work closely with the Under Secretary of Defense (Logistics, Materiel Readiness) in areas of shared responsibility.

The Under Secretary of the Army

Answer:

If confirmed, I will work closely with the Under Secretary of the Army in furthering the goals and priorities of the President and the Secretary of the Army.

Deputy Under Secretary of Defense for Installations and Environment

Answer:

If confirmed, I will work closely with the Deputy Under Secretary of Defense (Installations and Environment) in areas of shared responsibility.

The Assistant Secretary of Defense for Homeland Defense

Answer:

If confirmed, I will work closely with the Assistant Secretary of Defense for Homeland Defense in areas of shared responsibility.

The Assistant Secretary of the Army for Installations and Environment

Answer:

If confirmed, I will work closely with the Assistant Secretary for Installations and Environment in areas of shared responsibility, such as land acquisition for civil works projects. I will develop a cooperative relationship as we carry out the respective duties assigned to us by the Secretary of the Army to protect and preserve the environment and manage the Army's resources under our stewardship.

The Chief of Staff of the Army and the Army Staff

Answer:

If confirmed, I will work closely with the Chief of Staff of the Army and the Army Staff. I expect to coordinate closely with the Army Staff regarding our responsibilities relating to the duties of the Chief of Engineers.

The Chief of Engineers

Answer:

If confirmed, I will develop a close working relationship with the Chief of Engineers as we work effectively to manage the nation's Civil Works programs and projects, remaining mindful of my

oversight responsibility under the law and the Army General Orders. I believe the interests of the Nation are best served when the relationship between the Assistant Secretary of the Army (Civil Works) and the Chief of Engineers is based on mutual respect, trust, and cooperation. Both positions have enormous responsibilities and demand focused attention to very complex issues. Our respective abilities to respond to the President's priorities and carry out laws enacted by Congress will depend heavily on the success of this relationship.

State Governors

Answer:

The execution of the Corps of Engineers civil works mission often demands a balancing of diverse interests. The proper reconciliation of these interests requires an understanding of the Corps' authorities and legal responsibilities and open communication among all parties. If I am confirmed, I am committed to working cooperatively with the Governors of the States for the public interest, and I pledge to establish and maintain a full dialogue with the Governors of the States on all issues that we must cooperatively address.

Major Challenges and Problems

In your view, what are the major challenges that will confront the Assistant Secretary of the Army for Civil Works?

Answer:

Communities across the country rely on Army Corps of Engineers water resources projects to reduce flood damages, to enable efficient competition in world trade, to provide needed water and power, and to protect and restore our rich environmental resources. The Civil Works program provides a sound investment in the Nation's security, economic future, and environmental stability. I believe the greatest continuing water resources challenge is to find sustainable ways to strengthen the Nation's economy, while protecting and restoring unique water and related land resources for the benefit of future generations.

Two other challenges the Corps faces are the need to maintain its existing water infrastructure and to repair damages to the natural environment. An efficient water transportation system is critical if we are to remain competitive in international trade. Our system of ports and inland waterways enable us to efficiently transport goods in an environmentally acceptable manner.

Flooding also continues to threaten communities. We should use the Corps limited resources not only to respond to natural disasters when floods and hurricanes occur, but also to work more creatively with nature to prevent or reduce flood damages.

Assuming you are confirmed, what plans do you have for addressing these challenges?

Answer:

If confirmed I would expect the Secretary of the Army and I to work together to define the appropriate role for the Corps of Engineers in addressing these problems. The challenges the Nation faces are complex, and there are many difficult decisions to make. It is of paramount importance that we bring all interests to the table and that all have a voice in the development of solutions to our Nation's problems. The Army Corps of Engineers should always engage in an open and cooperative dialogue with Congress, other Federal agencies, States, Tribes and local governments in addressing those important challenges where the Corps can contribute to solutions for the Nation.

What do you consider to be the most serious problems in the performance of the functions of the Assistant Secretary of the Army for Civil Works?

Answer:

The Assistant Secretary of the Army for Civil Works has wide-ranging responsibilities arising from the varied purposes of the Civil Works Program. I believe the Assistant Secretary should continue and improve its efforts to clearly establish and communicate policy and direction so the Corps can effectively execute its important Civil Works mission and to ensure continued broad support within the Department of Defense and the Department of the Army for the national cemeteries program.

If confirmed, what management actions and time lines would you establish to address these problems?

Answer:

If confirmed, one of my first priorities will be to meet with the Chief of Engineers and others in the Administration and Congress to seek their input on how the Corps can best meet the Nation's water resources needs.

If confirmed, what broad priorities would you establish in terms of issues which must be addressed by the Assistant Secretary of the Army for Civil Works?

Answer:

If confirmed, I will work to improve the management and administration of the Army Civil Works Program and the Army's national cemetery program and would seek ways to more efficiently use Army's resources in the development and execution of these programs.

Civilian Oversight of the Army Corps of Engineers

What is your view of the relative authority of the Chief of Engineers, the Assistant Secretary of the Army for Civil Works, the Secretary of the Army, the Army Chief of Staff, and the Secretary of Defense with regard to the civil works function of the Army Corps of Engineers?

Answer:

My view of the relative authority of the Chief of Engineers, the Assistant Secretary of the Army for Civil Works, the Secretary of the Army, the Army Chief of Staff, and the Secretary of Defense with regard to the civil works function of the Army Corps of Engineers follows:

Secretary of Defense

The Secretary of Defense has full authority, direction and control over all elements of the Department of Defense. He exercises this power over the Corps of Engineers through the Secretary of the Army, whose responsibility for, and authority to conduct, all affairs of the Army is subject to the authority, direction and control of the Secretary of Defense. If confirmed, I will cooperate fully with the Secretary of Defense in fulfilling the administration's national defense priorities and efficiently administering the Corps of Engineers in accordance with the policies established by the Office of the Secretary of Defense.

The Secretary of the Army

As head of the Department of the Army, the Secretary of the Army is responsible for, and has the authority necessary to conduct all affairs of the Department of the Army. He may assign functions, powers and duties as he considers appropriate to the Under Secretary of the Army, as

well as the Assistant Secretaries of the Army, and require officers of the Army to report to these officials on any matter.

The Chief of Staff of the Army

The Chief of Staff of the Army performs his duties under the authority, direction and control of the Secretary of the Army and is directly responsible to the Secretary. The Chief of Staff also performs the duties prescribed for him by law as a member of the Joint Chiefs of Staff. If confirmed, I will establish and maintain a close, professional relationship with the Chief of Staff. I will communicate with him directly and openly as he performs his prescribed duties.

The Assistant Secretary of the Army for Civil Works

The Assistant Secretary of the Army for Civil Works is principally responsible for the overall supervision of the Army's civil works program, including flood damage reduction, river and harbor navigation, environmental restoration and protection, water supply, shore protection, hydroelectric power, recreation and related purposes. The complex issues that arise in these areas demand a close, professional relationship between the Assistant Secretary and the Chief of Engineers, based on mutual respect, trust, cooperation and full and open communication. The Assistant Secretary also is responsible for the program and budget of the Army national cemeteries, namely Arlington National Cemetery and the Soldiers' and Airmen's Home National Cemetery. If I am confirmed, I am committed to establishing and maintaining close professional relationships with all officials who share and are responsible for aspects of these programs, in order to respond effectively to the President's priorities and laws enacted by Congress.

The Chief of Engineers

As a member of the Army Staff, the Chief of Engineers reports to the Chief of Staff, through the Vice Chief of Staff, with respect to military matters. The Chief of Engineers reports to the Assistant Secretary of the Army (Civil Works) on civil works functions of the Army, including those relating to the conservation and development of water resources and the support for others program. The Chief of Engineers also reports to the Assistant Secretary of the Army (Civil Works) with respect to reimbursable support for non-Defense agencies and for reimbursable international activities not directly in support of U.S. forces overseas. In the area of military installation activities, the Chief reports to the Assistant Secretary of the Army (Installations & Environment), who has principal responsibility for all Department of the Army matters related to installations and the environment.

In your view, does the Corps need to make fundamental changes in the way it operates? If so, what changes would you recommend?

Answer:

No. I believe the Corps is a fundamentally sound organization. It has strong technical abilities and has proven time and time again that it can solve difficult problems. It has served this Nation for many years and can be counted on to continue to do so in the future. However, the Corps should continually re-examine the way it manages policy and technical reviews in order to ensure projects will receive broad support. Also, the Corps should always seek better, more effective ways of communicating with the broad range of interests that have a stake in its projects.

If confirmed, what procedures would you follow regarding consultation with the Congress prior to issuing any secretarial decisions or announcements regarding reforms that may affect the execution of the civil works and environmental functions of the Army Corps of Engineers?

Answer:

If confirmed, I will follow Departmental procedures regarding consultation with Congress that facilitate full and open communication among all interested parties, including the Executive Branch, Members of Congress, or the public. In performing my statutory duties, I intend to appropriately involve all interested parties and make decisions that take into account all relevant information.

What is your view of the role of the civilian and military leadership of the Army Corps of Engineers in developing goals for Corps programs and presenting these goals to the legislative branch?

Answer:

If confirmed, I will provide leadership to enable the Corps to continue to be a valuable asset to the Nation. Representing the Administration, I will work with Congress to insure the proper direction for the Corps. I will work with the Corps' military and civilian leaders to establish and provide to the legislative branch appropriate Civil Works goals, and I will ensure that both the Office of the Assistant Secretary for Civil Works and the Corps continue to respond to requests for information from the legislative branch.

Integrity of Corps of Engineers Projects

In November 2000, the Army Inspector General found that three Army Corps of Engineers officials had manipulated data in a cost-benefit analysis in order to justify a \$1 billion project.

What steps have been taken since 2000 to ensure that projects are appropriately analyzed and justified?

Answer:

My understanding is that the Corps has made substantial changes to assure that projects are appropriately analyzed and justified. The Corps has strengthened its procedures for internal peer review and adopted procedures for external peer review that is both consistent with guidance issued by the Office of Management and Budget and responsive to directives contained in the Water Resources Development Act of 2007. Further, several years ago the Corps established the Civil Works Review Board as a means to vet Corps Civil Works project recommendations with the Corps senior leadership, Office of Management and Budget staff, as well as the Office Assistant Secretary of the Army (Civil Works) personnel in advance of completing Chief of Engineers reports. The Directorate of Civil Works several years ago created the Office of Water Project Review, which is separate from project development functions and, as I understand it, further strengthens the internal review procedures.

If confirmed, what further steps, if any, would you take to ensure integrity in the oversight of projects executed by the Army Corps of Engineers?

Answer:

If confirmed, I will evaluate the current process guided by the principle that Corps technical analyses must be absolutely sound and the project evaluation process must be transparent and inclusive. External reviews can contribute to reducing controversy and risk, but these reviews must be integrated into the project development process not added at the end of the process. Integration of external review will improve projects and will assist the Corps in meeting urgent needs in a timely manner.

Navigation

The Army Corps of Engineers has built and maintains an intra coastal and inland network of commercial navigation channels, and locks and dams for navigation, which comprise an integral parts of the nation's critical infrastructure. The Corps also maintains 300 commercial harbors, through which pass 2 billion tons of cargo a year, and more than

600 smaller harbors. Significant amounts of heavy equipment and supplies bound for potential overseas military operations move by ship through ports maintained by the civil works program.

What do you view as the greatest challenges facing the Army with respect to the execution of its navigation mission?

Answer:

I expect one of the greatest challenges with the execution of the navigation mission to be the maintenance, recapitalization and modernization of aging infrastructure. Maintaining ports and waterways is critical to our economic well-being. Another significant challenge to the navigation mission is the management of hundreds of millions of cubic yards of dredged material removed annually from our nation's marine transportation harbors and waterways. I believe the Army and the Corps are continually working to make dredging and placement of dredged material environmentally safe and acceptable. I believe these efforts should be continued and we should look for innovative ways to integrate the critical need for navigation improvements with and opportunities to protect and restore the Nation's aquatic environment.

Are there aspects of this mission which you believe should be transferred from the Department of the Army?

Answer:

At this time I do not believe that any aspects of the Corps' navigation mission should be transferred from the Department of the Army.

In your view, how can the Corps best respond to environmental concerns in carrying out its navigation mission?

Answer:

I believe the Corps not only should continue to assess environmental considerations as they arise in its Navigation program, but also seek out opportunities for regional sediment management and beneficial uses of dredged material. As lessons are learned, they should be incorporated into the management of the navigation program to best provide a safe, efficient, reliable and environmentally sound marine transportation system.

Environmental Mission

The Corps is responsible for environmental restoration projects at Department of Defense Formerly Used Defense Sites and also at Department of Energy Formerly Utilized Sites Remedial Action Program. Under the DOE program, the Army Corps of Engineers cleans up former Manhattan Project and Atomic Energy Commission sites, making use of expertise gained in cleaning up former military sites, and civilian hazardous waste sites under the Environmental Protection Agency "Superfund" program.

What do you view as the greatest challenges facing the Army with respect to the execution of its environmental restoration mission?

Answer:

Continuing to execute the vital cleanup mission while always protecting the health and safety of workers and the public is perhaps the biggest challenge for the Formerly Used Defense Sites Program and the Formerly Utilized Sites Remedial Action Program. The Corps should continue to apply good science and management practices that will increase remediation efficiency and continue to meet the commitments made to stakeholders. The Formerly Utilized Sites Remedial Action Program is a Civil Works mission under the oversight of the ASA(CW), as is the Superfund and other environmental work the Corps carries out on behalf of non-Defense agencies on a reimbursable basis due to the Corps special expertise. In contrast, the Formerly Used Defense Sites Program is an element of the Defense Environmental Restoration Program under the responsibility of the Assistant Secretary of the Army (Installations & Environment).

Are there aspects of this mission which you believe should be transferred from the Department of the Army?

Answer:

At this time I believe the Army is the appropriate agency to perform this mission.

What is your vision for this aspect of the Corps' mission?

Answer:

My vision for the Civil Works Formerly Utilized Sites Remedial Action Program and for the Corps' reimbursable support for non-Defense agencies is that these programs should be executed

efficiently, in partnerships with others, and with the highest possible level of technical competence.

If confirmed, how would you propose to address the Corps' environmental funding requirements?

Answer:

If confirmed, I will evaluate the environmental funding needs within the overall Corps Civil Works mission.

If confirmed, how would you preserve the integrity of the Corps' environmental and civil works mission?

Answer:

If confirmed, I will work closely with others, including the Chief of Engineers, to ensure that all aspects of the Civil Works program are carried out to the highest possible standards of engineering and environmental science, and I will strongly support the practice, strengthened by the Water Resources Development Act of 2007, of engaging outside experts for independent reviews of the Corps' work. I have an understanding of the practical issues regarding independent review and will work to achieve the fullest implementation of Congressional intent.

What are your views about the potential performance of regulatory functions presently performed by the Army Corps of Engineers by other governmental or non-military entities?

Answer:

At this time I believe the Army continues to be the appropriate agency to carry out the regulatory functions currently assigned to the Corps of Engineers.

The Corps is also responsible for Environmental and Ecosystem Restoration as part of its Civil Works mission. These include the Everglades, Coastal Louisiana, and the Great Lakes. There are many large ecosystem restoration projects around the nation.

How do you propose to balance the Corps' work between ecosystem restoration and

traditional navigation?

Answer:

The Corps Civil Works program has three major mission areas: Navigation, Flood Damage Reduction and Ecosystem Restoration. If confirmed, I will work to improve watershed planning to balance needs and facilitate comprehensive and integrated solutions that preserve or enhance performance and sustainability at a system level.

State Water Quality Standards

In the past, the Army Corps of Engineers has not always been required to meet state water quality standards in constructing and operating its water resources projects.

Do you believe that the Army Corps of engineers should be required to meet state water quality standards in constructing and operating Corps projects?

Answer:

Yes, I do. Section 401 of the Clean Water Act requires that the Army Corps of Engineers obtain certification from states, or interstate water control agencies, that a proposed water resources project is in compliance with established effluent limitations and water quality standards. If a state in question has assumed responsibilities for the Section 404 regulatory program, a state 404 permit would be obtained which would serve as the certification of compliance.

Section 404r of the Clean Water Act waives the requirement to obtain the state water quality certification if the information on the effects of the discharge is included in an Environmental Impact Statement on the proposed project submitted to Congress before the discharge takes place and prior to either authorization of the project or appropriation of construction funds. Nevertheless, it is my understanding that it is the policy of the Corps to seek state water quality certification rather than utilizing the Section 404r exemption provision.

Budgeting

The Corps of Engineers has a significant backlog of Operations and Maintenance work and Construction work throughout the country. This backlog has very real economic, environmental and safety implications.

How do you plan to address the backlog of work? How will you prioritize certain types of projects above others?

Answer:

If confirmed, I will review the backlog of authorized projects that have not been started to determine whether they are still appropriate to meet today's water resources challenges, and I will consider whether they should be recommended for inclusion in the President's Budget. Regarding the balance to complete for ongoing construction projects, which sometimes is also referred to as part of the backlog, I will strive to complete them as efficiently as possible in accordance with Administration budgetary criteria, in order for the Nation to realize the benefits provided by those projects. Regarding the maintenance backlog, I will carry out a thorough analysis of the remaining backlog after assessing the benefits from the funding provided for this purpose under the American Reinvestment and Recovery Act.

What are your views on using the Harbor Maintenance Trust Fund, which has approximately a \$4 billion surplus, to address the Corps' backlog?

Answer:

I understand that there is a large unspent balance of revenues and interest in the Harbor Maintenance Trust Fund and that the annual revenues exceed recent rates of spending for eligible navigation operation and maintenance. I believe this matter merits serious review within the Administration to determine whether policy, budgetary, or legislative changes are appropriate.

Workforce in the Corps of Engineers

There has been much discussion and publicity about the reduction in engineers graduating from our nation's universities over the last twenty years.

How would you assess the overall health of the national engineering expertise and capability maintained within the Corps of Engineers workforce?

Answer:

From what I understand, this issue has been of great importance to the Chief of Engineers for some time. I believe the Corps is generally successful in filling positions and usually has multiple highly qualified candidates for each position announced. Many of the Corps'

employees, both civilians and military officers have either professional engineering degrees or project management skills experience. I believe that recruiting and retaining talented employees is key and is an area of great interest to me and, if confirmed, look forward to working with the Chief of Engineers to ensure that emphasis remains on this critical area within the Corps of Engineers.

In your opinion, are adequate programs in place and funded to ensure the Corps engineering workforce is educated on the latest technologies and innovations?

Answer:

If confirmed, I would work with the Chief of Engineers to learn more about the programs that are in place and to explore additional options and ideas.

Do you see any challenges or opportunities for improvement to the workforce?

Answer:

I believe that there are always opportunities to improve an organization's overall workforce. If confirmed, I would work with the Chief of Engineers to explore opportunities to improve.

Acquisition Processes for the Corps of Engineers

In the last five years, the Corps of Engineers has increasingly relied upon a contract process known as Design-Build, which requires a design agent to partner with a construction agent to compete for a contract. This differs from the traditional design-bid-build process, where the Corps contracts first for a design product and subsequently issues a separate solicitation for the construction. While there are many benefits to a collaborative process between a designer and the construction agent, there are also drawbacks. These include the reduced oversight by the Corps engineers in the design/construction process, and the systematic elimination of small to medium size engineering/architecture firms as well as construction contractors who do not have the resources to compete for design-build contracts.

In your opinion, what are the strengths and weaknesses in each acquisition process?

Answer:

From my limited prior experience in this area, by way of strengths, the design-build process

generally results in faster project delivery because the requirements can be quickly defined in performance terms and the design and construction phases can proceed largely concurrently. In terms of weaknesses, the design build process requires more effort and therefore may be more costly to industry to submit offers and the Government and its customers have less control over the final design solutions.

How should the Corps determine which acquisition process to use?

Answer:

I believe the Corps plans all acquisitions pursuant to the Federal Acquisition Regulations. The decision to use one delivery system over another depends on many factors which involve the customer, the project, industry and the Corps of Engineers. I believe all factors must be weighed and considered before any particular acquisition method is chosen.

Do you believe the use of design-build contracts has any effect on the proficiency of the Corps engineering and contract management workforce? If so, can you elaborate?

Answer:

If confirmed, I would consult with the Chief of Engineers, to better understand the process and considerations when using the design-build option and how it affects the proficiency of the Corps' engineering and contract management workforce.

Do you foresee any issues over the long term emerging from the preponderant use of design-build contracts?

Answer:

From what I understand, the Corps plans all acquisitions and selects the appropriate delivery system depending on the specific requirements. At this time, I do not foresee any issues over the long term using design – build contracts.

Nation-wide Levee Systems and Flood Control

The recent floods in North Dakota and surrounding states reemphasized the importance and fragility of our Nation's levee systems.

How would you assess the health of these systems?

Answer:

I understand that the Corps of Engineers is in the process of inventorying and evaluating levees nation-wide. Until all the information is collected, there are still many unknowns. However, in general, I agree with the premise that levees across the nation are aging and that this is an important concern.

In your opinion, is the process used by the Corps of Engineers to prioritize national levee requirements adequate?

Answer:

I believe the Corps of Engineers holds public safety as top priority and uses basic risk concepts, such as population at risk, to prioritize all aspects of levee activities, including inspections, operation and maintenance, and construction projects. The Corps is currently developing risk tools to improve how it evaluates the risk associated with levees in order to improve how national priorities are determined. If confirmed, I plan to review the prioritization of levee requirements.

Are the resources provided to date to address these requirements adequate?

Answer:

If confirmed, I will evaluate how resources are allocated among all of the Civil Works programs.

If not, what additional resources are needed, in your opinion?

Answer:

At this time, I do not know what additional resources may be needed in this area. However, if confirmed, I will evaluate funding for all programs within Civil Works.

If confirmed, how would you address concerns about the future of the Mississippi River Gulf Outlet and a determination on whether it should be closed?

Answer:

It is my understanding that the Mississippi River Gulf Outlet (MRGO) was deauthorized on 5 June 2008, when the Assistant Secretary of the Army for Civil Works, the Honorable John Paul Woodley, Jr., sent to Congress the Report of the Chief of Engineers, which presents the results of the comprehensive plan for MRGO. The report recommended deauthorizing the portion of the MRGO navigation channel from the Gulf of Mexico to Mile 60 at the southern bank of the GIWW and physical modifications to the MRGO and, based on the requirements of Section 7013 of the Water Resources Development Act of 2007, includes a plan to address ecosystem restoration.

I also understand that the Corps is currently building the MRGO closure structure and conducting a feasibility study to develop an ecosystem restoration plan for estuarine areas impacted by the MRGO and that closure construction work is scheduled for completion this year.

If confirmed, I will closely monitor the MRGO project.

Prioritization Process in the Corps of Engineers

The Corps of Engineers have always been subject to pressure from various levels of government to carry out certain projects of special interest.

Do you believe the prioritization process used by the Corps of Engineers for civil works projects is adequate?

Answer:

It is my understanding that the Corps does not prioritize projects for authorization. Once authorized, projects are recommended for appropriation consistent with the budgetary criteria set by the Administration on a yearly basis. Because the budget must address prioritization of projects to receive limited funding, budgetary criteria are often different from the criteria used to establish Federal interest and ultimately support project authorization.

If confirmed, do you plan to adhere to the established prioritization processes, barring any unforeseen circumstances?

Answer:

Yes, I believe that, in general, budgetary criteria reflect the priorities of the Administration and, if confirmed, I would support the Administration's budgetary criteria.

What is your opinion of using peer reviews of corps projects to get an outside opinion on the need, urgency, and assessment of effects caused by Corps projects?

Answer:

I believe Corps project proposals should be reviewed by both internal and external parties and that these reviews should be integrated into the planning process in a way that is transparent and seamless. In addition, these reviews should be undertaken in an integrated manner to ensure feedback is appropriately incorporated into planning investigations at the earliest possible stages of plan formulation

Congressional Oversight

In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress? *Yes*

Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Assistant Secretary of the Army for Civil Works? *Yes*

Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees? *Yes*

Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents? *Yes*